

Federal Defenders OF NEW YORK, INC.

Southern District
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Southern District of New York
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December 15, 2022

BY ECF

The Honorable Jesse M. Furman
United States District Judge
Southern District of New York
40 Foley Square
New York, NY 10007

**RE: United States v. Abdul Mumuni
21 Cr. 523 (JMF)**

Application GRANTED. Sentencing is hereby
ADJOURNED to March 21, 2023, at 3:15 p.m. The
Clerk of Court is directed to terminate Doc. #118. SO
ORDERED.

December 15, 2022

Dear Judge Furman:

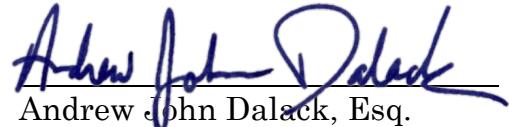
I write to request a final 75-day adjournment of Abdul Mumuni's sentencing proceeding, which is scheduled for January 5, 2023. The Government consents to this application. An adjournment is necessary to: 1) allow the defense to finalize our mitigation-related efforts on Mr. Mumuni's behalf that are relevant to the Court's application of the 18 U.S.C. § 3553(a) factors to Mr. Mumuni; 2) avoid a conflict with my trial obligations in United States v. Sayfullo Saipov, 17 Cr. 722 (VSB), which is scheduled to proceed with opening statements on January 3, 2023;¹ and 3) to allow the defense to finish reviewing the substantial Rule 16 discovery produced to the defense this past fall, after Mr. Mumuni pleaded guilty, which is relevant to comparative culpability arguments the defense may advance.

The defense wishes to inform the Court that we have made substantial progress preparing for Mr. Mumuni's sentencing despite onerous language barriers and his family's residence overseas. Mr. Mumuni has been working closely with two social workers from my office and a talented paralegal, who have been preparing an achievable, realistic plan with Mr. Mumuni for his post-sentence success. Further, Mr. Mumuni is in compliance with his bail conditions, including location monitoring.

¹ The parties in Saipov are nearing the conclusion of our weeks-long jury selection, with a peremptory-strike conference scheduled for December 19, 2022. The liability phase of Mr. Saipov's capital case is expected to begin with opening statements on January 3, 2023, and is expected to last approximately two to three weeks. The penalty phase is expected to begin sometime in early February 2023, and is expected to last through the rest of that month, into March 2023.

I thank the Court for its consideration of this request. As I indicated above, I anticipate that this will be the final request for an adjournment of sentencing in this matter.

Respectfully Submitted,



Andrew John Dalack, Esq.
Assistant Federal Defender

Counsel for Abdul Mumuni

Cc: AUSA Jane Chong
AUSA Kevin B. Mead